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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,210	08/26/2003	Brian Scott Hallisey	200206455-1	1934

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
3404 E. Harmony Road  
Mail Stop 35  
FORT COLLINS, CO 80528

EXAMINER
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AUGUSTINE, NICHOLAS

ART UNIT	PAPER NUMBER
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2179

NOTIFICATION DATE	DELIVERY MODE
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10/15/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM  
ipa.mail@hp.com  
laura.m.clark@hp.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/647,210	<b>Applicant(s)</b> HALLISEY ET AL.	
	<b>Examiner</b> NICHOLAS AUGUSTINE	<b>Art Unit</b> 2179	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 July 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 5-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3 and 5-13 is/are allowed.
- 6) ☒ Claim(s) 14-18 and 21-25 is/are rejected.
- 7) ☒ Claim(s) 19 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

- A. This action is in response to the following communications filed 07/06/2010.
- B. Claims 1-3 and 5-25 remains pending.

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1. In view of the Appeal Brief filed on 07/06/2010, PROSECUTION IS  
HEREBY REOPENED. New Grounds of Rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

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***Allowable Subject Matter***

2. Claims 1-3 and 5-13 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: Independent claim 1, when considered as a whole, is allowable over the prior art of record. Specifically, the prior art of Gauvin teaches the limitation: “a display of connected computers, storage devices and a connection state in a graphic image represented in an area that can be overlapped by other areas”. But the claims recite a different combination of limitation: “illustrating at least two overlapping but separate hierarchies in the same mosaic-like graphic, each of said separate representing one or more of the relationships amongst the resources; and arranging said resources representing same type of resources into columns, wherein adjacent columns group different resources, and a row intersecting adjacent columns indicates relationships between particular resources of the respective column wherein the mosaic-like graphic depicts a logical unit number (LUN) occupying a rank in both of the two overlapping but separate hierarchies”, that is not suggested or shown by Gauvin.

The prior art of Anslow teaches another combination, “a rendering of device representations of a plurality of devices in a network and of connections between devices”, but does not suggest the limitation.

The dependent claims further add limitations to the allowable subject matter of the corresponding independent claims; thus are also allowable. Therefore the claims are allowed over the art because the claims differ in scope that is not seen or suggested by the prior art.

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3. Claims 19-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 14-18 and 21-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Gauvin, Francois et al. (US Pat. 7,315,985 B1), herein referred to as “Gauvin”.

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As for independent claim 14, Gauvin teaches a method of controlling the relationships amongst resources of a system, wherein said resources are iconically represented and illustrated on a Graphical User Interface (GUI) (figure 4), comprising:

manipulating a relationship of resources in said iconically illustrated system (fig.4, 8; col.23, line 7); and re-sizing areas of (col.23, lines 10-13; amount of storage, hosts, etc...), in response to said manipulating, the relative footprints of said icons according to an effect upon respective ones of the resources, caused by the manipulating the relationship (col.23, line 15);

wherein the relationship of the resources are shown in a hierarchical tree from (col.23, line 19) placement of icons in columns with resources of a same type being in a same column (col.16,line 36), and a resource is shown as being a child to separate hierarchical trees that depict storage resources (col.16,line 40).

As for dependent claim 15, Gauvin teaches the method of claim 14, wherein said manipulating step comprises: interacting with at least one icon, representative of one said resource in said iconically illustrated system to initiate a change of at least one attribute of said represented resource (col.16, line 36, 40).

As for dependent claim 16, Gauvin teaches the method of claim 15, wherein said initiating step comprises: displaying, in response to said interaction step, attributes of said represented resource, wherein said attributes are changeable; and indicating changes to said at least one attribute through the operation of at least one

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peripheral device (col.17, line 58).

As for dependent claim 17, Gauvin teaches the method of claim 16. Gauvin does not specifically teach using a pop-up window or new window in detail wherein said displaying attributes comprises: illustrating said attributes in a pop-up window (col.19,line 16).

As for independent claim 18, A method of displaying relationships amongst first, second and third types of resources of a system, the method comprising:

preparing a graphic of at least two separate but overlapping hierarchies (fig.4) such that viewing the graphic in a first direction (col.16, line 39)represents a first one of said separate but overlapping hierarchies in which ones of the first resource type report hierarchically to ones of the second resource type, and

viewing the graphic in a second direction different from the first direction (col.16,line 48) represents a second one of said separate but overlapping hierarchies in which ones of the first resource type report hierarchically to ones of the third resource type; and displaying the graphic (col.16,lines 57-65).

As for dependent claim 21, Gauvin teaches the method of claim 18, wherein the first one of said separate but overlapping hierarchies represents physical storage resources of a storage system, and the second one of said separate but overlapping

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hierarchies represents logical storage resources of the storage system (col.17, line 48).

As for dependent claim 22, Gauvin teaches the method of claim 18, wherein the second direction is opposite to the first direction (col.16, line 48). Gauvin teaches the layout of network resource component presented on the graphical user interface as being able to be customized into any configuration as sought by the end user; arranging said resources representing same type of resources into columns, wherein adjacent columns group different resources, and a row intersecting adjacent columns indicates relationships between particular resources of the respective column (col.37, line 49).

As for dependent claim 23, Gauvin teaches the method of claim 18, wherein said first, second and third types of resources are represented by icons, further comprising: sizing said icons in proportion to at least one attribute of said represented resource (col.17, line 58).

As for dependent claim 24, Gauvin teaches the method of claim 23, wherein said at least one attribute is storage capacity (col.23, lines 10-13).

As for dependent claim 25, Gauvin teaches the method of claim 23, further comprising: arranging said icons representing same type of resources into columns, wherein adjacent columns group different resources, and a row intersecting adjacent columns



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indicate relationships between particular resources of the respective column (col.37, line 49).

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**(Note:)** It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275, 277 (CCPA 1968)).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

### ***Inquires***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056 and fax is 571-270-2056. The examiner can normally be reached on Monday - Friday: 9:30am- 5:00pm Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nicholas Augustine/  
Examiner  
Art Unit 2179  
October 11, 2010

/Weilun Lo/  
Supervisory Patent Examiner, Art Unit 2179